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In reply to Office Action mailed March 29, 2004

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In the Office Action dated March 29, 2004, Examiner did not contest Applicant's aforementioned position. Nevertheless, Examiner made the rejection final, stating "Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action." Applicant respectfully disagrees that the Amendment necessitated the new ground of rejection.

(b) *Arguments*

A thorough review of the Amendment and Response to Office Action dated January 8, 2004, demonstrates that the claim limitations incorporated into the independent claims by amendment were merely relocated subject matter from dependent claims.

For instance, in the Office Action dated March 29, 2004, with respect to the originally cited sole reference—Grewal et al., U.S. Patent No. 5,592,672—Examiner asserts that *Grewal* does not teach:

...batching the files into logically related requests so as to send a single network message with a parent batch and a dependent batch or verifying that the various messages do not change in response to a change of another message.

Page 2. However, with respect to the newly cited reference—Nordstrom et al., U.S. Patent No. 6,085,277—which was first cited in the second and final Office Action, Examiner asserts that the reference:

...discloses an interrupt and message batching method (title), that would inherently have a parent batch and a dependent batch as Nordstrom discloses batching messages together (claim 1).

Page 3. Applicant asserts that these claim limitations, which are allegedly taught by the new reference *Nordstrom*, were indeed present prior to the claim amendments that therefore the amendments did not necessitate this new ground of rejection.

Specifically, prior to the Amendment dated January 8, 2004—at a time when only the *Grewal* reference was cited against the pending claims—claims 3, 9, and 15 recited batching logically related requests, including a parent request and a dependent request, where the dependent request depends on the response from the parent request. Specifically, prior to the amendment claims 3, 9, and 15 recited:

...batching logically-related requests received from the business objects into a single network message, wherein one of the requests is a parent request; receiving a register that at least one of the requests is dependent upon the response data from the parent request; sending the network message across a network...

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(emphasis added). These are the very limitations that Examiner asserts the *Grewal* reference fails to teach and for which the *Nordstrom* reference was purportedly introduced. Additionally, originally filed claims 6, 12, and 18 recited that copies of the business objects are not changed and verifying the same; these limitations were also incorporated into independent claims 1, 7, and 13 in the Amendment.

Accordingly, it appears that both Examiner and Applicant agree that the *Grewal* reference failed to teach the limitations of batching logically related requests, that include a parent request and a dependent request, into a single network message, and the *Nordstrom* reference was necessary to allegedly teach these limitations. Further, Applicant asserts that these limitations were present in the originally filed claims 3, 9, and 15. The mere rearranging of these limitations from dependent claims 3, 9, and 15 into their respective independent claims, 1, 7, and 13 did not necessitate a new ground of rejection. Rather, it was the shortcoming of the *Grewal* reference that necessitated a new ground of rejection.

Finally, as to the other amendments to independent claims 1, 7, and 13, which added subject matter thereto, that subject matter was also merely transferred from dependent claims as follows:

Subject matter added in 1/8/2004 Amendment to element (a) of claims 1, 7, and 13...	was originally recited in dependent claims 2, 8, and 14
Subject matter added in 1/8/2004 Amendment to element (b) of claims 1, 7, and 13...	was originally recited in dependent claims 3, 9, and 15
Subject matter added in 1/8/2004 Amendment to element (e) of claims 1, 7, and 13...	was originally recited in dependent claims 6, 12, and 18

### CONCLUSION

For at least the foregoing reasons, Applicant asserts that the final rejection of the Office Action dated March 29, 2004 was premature and respectfully requests that the finality of the rejection be withdrawn in accordance with MPEP § 706.07(d). In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (612) 607-7386. If any fees are due in connection with the filing of this paper, then the Commissioner is


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authorized to charge such fees including fees for any extension of time, to Deposit Account No. 50-1901 (Reference 60021-327501).

Respectfully submitted,

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